

# HOUSE BILL No. 1086

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 13-11-2; IC 13-20-24.

**Synopsis:** Solid waste landfill locations near schools. Prohibits the solid waste boundary of a solid waste landfill from being located within 2,640 feet from a public or nonpublic school building.

**Effective:** July 1, 2005.

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January 6, 2005, read first time and referred to Committee on Environmental Affairs.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

## HOUSE BILL No. 1086

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A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 13-11-2-142.6 IS AMENDED TO READ AS  
2       FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 142.6. "Nonpublic  
3       school", for purposes of IC 13-20-17.5 **and IC 13-20-24**, has the  
4       meaning set forth in IC 20-10.1-1-3.

5       SECTION 2. IC 13-11-2-176.5 IS AMENDED TO READ AS  
6       FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 176.5. "Public school",  
7       for purposes of IC 13-20-17.5 **and IC 13-20-24**, has the meaning set  
8       forth in IC 20-10.1-1-2.

9       SECTION 3. IC 13-11-2-208 IS AMENDED TO READ AS  
10       FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 208. "Solid waste  
11       landfill", for purposes of IC 13-20-9, IC 13-20-21-6, **IC 13-20-24**, and  
12       IC 13-22-9, means a solid waste disposal facility at which solid waste  
13       is deposited on or beneath the surface of the ground as an intended  
14       place of final location.

15       SECTION 4. IC 13-20-24 IS ADDED TO THE INDIANA CODE  
16       AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
17       JULY 1, 2005]:

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**Chapter 24. Solid Waste Landfill Locations Near Schools**

**Sec. 1. This chapter applies to a solid waste landfill for which an application to obtain a permit to construct, expand, or operate the solid waste landfill is filed with the department.**

**Sec. 2. (a) The solid waste boundary of a solid waste landfill may not be located within two thousand six hundred forty (2,640) feet from a public or nonpublic school building without the written consent of the:**

**(1) governing body of the public school corporation; or**

**(2) chief administrative officer of the nonpublic school; that controls the school building.**

**(b) The measurement that this section requires must be made from the point on a school building that is nearest to the solid waste boundary of a solid waste landfill.**

**Sec. 3. The commissioner shall deny an application for a permit for the construction, expansion, or operation of a solid waste landfill if the commissioner finds that the solid waste landfill would not comply with the requirements of this chapter.**

**Sec. 4. The solid waste management board may adopt rules under IC 4-22-2 to implement this chapter.**

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